

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ARRAY HOLDINGS, INC.,

PLAINTIFF,

v.

SAFOCO, INC.,

DEFENDANT.

§
§
§
§
§
§
§

CAUSE NO. 12-cv-366

JURY TRIAL REQUESTED

**JOINT MOTION TO REINSTATE CASE AND
FOR ENTRY OF ORDER DISMISSING CASE WITH PREJUDICE**

Plaintiff Array Holdings, Inc. (“Array”), and Defendant Safoco, Inc. (“Safoco”) (collectively “the Parties”), jointly request that the Court reinstate this case for the limited purpose of dismissing all claims between the Parties with prejudice. On September 18, 2013, the Court entered an Order of Dismissal on Settlement Announcement (Dkt. # 210). The case was dismissed without prejudice to the right of the parties to move for reinstatement. Array and Safoco have reached an agreement to settle and compromise their differences in the case. Array asks that the Court enter a dismissal on all claims against Safoco. Safoco asks that the Court enter a dismissal on all counterclaims against Array. The parties have agreed to the filing of this joint motion to reinstate the case and for entry of an order dismissing all claims with prejudice to the rights of either party.

For the foregoing reasons, the parties respectfully request that this Court grant the Parties’ request that the case be reinstated and that the Court enter an order dismissing all claims between Array and Safoco with prejudice to the rights of the parties.

Respectfully submitted

ROEBUCK, THOMAS, ROEBUCK & ADAMS

/s/ Jeffrey T. Roebuck

Jeffrey T. Roebuck

SBT No. 24027812

jeff@roebuckthomas.com

476 Oakland Street

Beaumont, Texas 77701-2011

Telephone: 409-892-8227

FAX: 409-892-8318

ATTORNEYS FOR PLAINTIFF

ARRAY HOLDINGS, INC.

ANDERSON & CUNNINGHAM, P.C.

/s/ David K. Anderson

David K. Anderson

SBT No. 01174100

SDT No. 7405

Lead Attorney

david@andersonlawfirm.com

Julie B. Cunningham

SBT No. 05240700

SDT No. 15051

julie@andersonlawfirm.com

1221 Lamar, Suite 1115

Houston, Texas 77010

Telephone: 713-655-8400

FAX: 713-650-0260

ATTORNEYS FOR DEFENDANT SAFOCO, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was filed electronically pursuant to Local Rule 5.1 and that a copy of this document was served upon all counsel of record pursuant to the Federal Rules of Civil Procedure and Local Rule 5.1 via the Court's CM/ECF on this 10th day of October, 2013.

/s/ Julie B. Cunningham

Julie B. Cunningham